IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE TWENTY FIRST DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE SRI BILAL NAZKI, THE ACTING CHIEF JUSTICE

and
THE HON'BLE DR JUSTICE G.YETHIRAJULU

WRIT PETITION NO : 7808 of 2005

Between:

1 G. Ramesh Babu S/o. Koteswara Rao
R/o. Pedapalem Village, Atchampeta Mandal, Guntur District.
2 V. Pitchi Reddy, S/o. Raja Reddy,
R/o. Atchampeta Village and Mandal, Guntur District.

..... PETITIONERS

AND

1 The Government of Andhra Pradesh, rep. by its Secretary,

Panchayat Raj Department, A.P. Secretariat, Hyderabad.
2 The District Level Sand Committee, Guntur District.
3 The District Collector (Panchayat Wing), Guntur.
4 The District Panchayat Officer, Guntur.
5 The Mandal Revenue Officer, Atchampet Mandal, Guntur

District.

6 The Konuru Sand and Boat Workers, Co.operative Society

Limited, Konuru, Atchampet Mandal, Guntur District rep. by its

President N.Nageshwara Rao

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the respondents 2 and 4 in extending the lease of sand quarrying rights in Reach No. 15 of Atchampet Mandal in Guntur District in favour of the 6th Respondent in violation of A.P. Minor Mineral Concession Rules, 1966 as illegal, arbitrary and unconstitutional and consequently direct the 2nd respondent to auction the said quarrying rights in Reach No. 15 of Atachampet Mandal in Guntur District in accordance with Rule 9 (B) of the Minor

Mineral concession Rules, 1966 and recover the lease amount for the extended period of time from the 6th respondent and pass such other appropriate order or orders as are deemed fit and proper in the facts and circumstances of the case.

Counsel for the Petitioner:MR.SRINIVASA RAO BODDULURI

Counsel for the Respondents: GP FOR PANCHAYAT RAJ & RURAL DEV.

The Court at the stage of admission made the following :

<u>O R D E R:</u> (Per the Hon'ble Sri Bilal Nazki, ACJ):

It is submitted by learned counsel for the parties that the issue raised in this writ petition is covered by the order passed by this Court in W.P.No.1018 of 2005, dated 20-04-2005.

In view of the same, the writ petition is disposed of in terms of the order passed in W.P.No.1018 of 2005, dated 20-04-2005. The order in W.P.No.1018 of 2005 shall apply to this case as well. No order as to costs.

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(Bilal Nazki, ACJ)

21st April, 2005.

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(Dr.G.Yethirajulu,J)

vrn

To

1 The Secretary, Government of Andhra Pradesh, Panchayat Raj

Department, A.P. Secretariat, Hyderabad.
2 The District Level Sand Committee, Guntur District.
3 The District Collector (Panchayat Wing), Guntur.
4 The District Panchayat Officer, Guntur.
5 The Mandal Revenue Officer, Atchampet Mandal, Guntur

District.

6 Two C.Cs to the Government Pleader for Panchayat Raj and

Rural Development, High Court Buildings, A.P., Hyderabad

(OUT)

7 Two C.D copies.

(Enclose along with copy of order dated 20-04-2005

made in W.P.No.1018 of 2005)